

~~seventy-five-cents-for-each-additional-unit-and-shall-apply
only-to-the-annual-inspections.~~

Sec. 2. This Act is effective January 1, 1979.

Approved June 14, 1978

CHAPTER 1136
INDUSTRIAL PROPERTY VALUATIONS

H. F. 2356

AN ACT relating to assessment procedures by providing duties for the department of revenue and owners of industrial property in valuing industrial property and creating a reassessment expense fund to provide loans to assessing jurisdictions for revaluing property and making an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section four hundred twenty-one point seventeen (421.17), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. To subpoena from property owners and taxpayers any and all records and documents necessary to assist the department in the determination of the fair market value of industrial real estate. The burden of showing reasonable cause to believe that the documents or records sought by the subpoena are necessary to assist the department under this subsection shall be upon the director.

Sec. 2. Chapter four hundred twenty-one (421), Code 1977, is amended by adding the following new section:

NEW SECTION.

1. There is created in the office of the treasurer of state a "reassessment expense fund" for the purpose of providing loans to a city and county conference board for conducting reassessments of property. There is appropriated to the reassessment expense fund from the general fund of the state from any unappropriated funds in the general fund of the state such funds as are necessary to carry out the provisions of this Act, subject to the approval of the state comptroller. Repayment of loans shall be credited to the fund.

2. There is created a reassessment expense fund committee composed of the director of revenue, the state comptroller, and the chairperson of the state board of tax review. The committee shall maintain and administer the reassessment expense fund created pursuant to subsection one (1) of this section.

3. Within sixty days of the receipt of an order of the director to reassess all or part of the property in an assessing jurisdiction, the conference board and assessor of the assessing jurisdiction shall submit to the director a detailed proposal for complying with the order. The proposal shall contain specifications for the completion of the reassessment project, the financial condition of the assessing jurisdiction, and any other information deemed necessary by the director.

4. Each proposal submitted pursuant to subsection three (3) of this section shall be reviewed by the director to determine if the proposal will result in compliance with the reassessment order. The director shall approve or disapprove each proposal and shall notify the appropriate conference board and assessor of the decision. If the director determines the proposal will not result in compliance with the reassessment order, the notice shall contain the reasons for the director's determination and an explanation as to how the proposal shall be corrected in order to be approved by the director.

5. If the notice to the conference board and the assessor states that the director has determined that the proposal will result in compliance with the reassessment order, the conference board may, if it lacks the financial resources to comply in all respects with the reassessment order, file with the committee an application for a loan from the reassessment expense fund. The loan to the conference board may be for all or part of the funds required to comply with the reassessment order. The committee shall approve, amend and approve, or reject each application and notify the conference board and assessor of its decision. If the application is amended or rejected, the notice shall contain the committee's reasons for the amendment or rejection.

6. Upon the committee's approval of the advancement of funds from the reassessment expense fund, the committee shall certify to the appropriate conference board and assessor a schedule for disbursing the loan to the assessing jurisdiction's appraiser fund authorized by section four hundred forty-one point fifty (441.50) of the Code. The schedule shall provide for the disbursement of funds over the period of the reassessment project, except that ten percent of the funds shall not be disbursed until the project is completed. The conference board shall at its next opportunity levy pursuant to section four hundred forty-one point fifty

(441.50) of the Code sufficient funds for purposes of repaying the loan made from the reassessment expense fund. The amount levied shall be sufficient to repay the loan in semiannual installments during the course of the reappraisal project as specified by a repayment schedule established by the committee. The repayment schedule shall provide for repayment of the loan not later than one year following the completion of the reassessment. Semiannual repayments of the proceeds of the loan shall be made on or before December first and May first of each year.

7. Any reassessment of property ordered by the director, whether or not undertaken with funds provided in this section, shall be conducted by the assessor in accordance with the Iowa real property appraisal manual issued under authority of section four hundred twenty-one point seventeen (421.17), subsection eighteen (18), of the Code, the assessment laws of this state, and any reassessment order issued by the director under authority of chapter four hundred twenty-one (421) of the Code. The conference board may employ appraisers or other expert help to assist the assessor in completing the reassessment, except that no conference board receiving funds under this section shall enter into a contract for the reassessment of property until the board's proposal for completing the reassessment is approved. The director shall supervise the conduct of all reassessments of property and issue to the assessor or conference board such instructions, directives, or orders as are necessary to ensure compliance with the provisions of this section and the assessment laws of this state.

8. The assessor of each assessing jurisdiction receiving funds under this section shall submit to the director, in the form and manner prescribed by the director, reports showing the progress of the reassessment. If the director determines that a reassessment undertaken with funds provided in this section is not being conducted in accordance with the proposal submitted pursuant to subsection three (3) of this section, the director shall notify the appropriate conference board and assessor and the committee of the director's determination. The notice shall contain an explanation as to how the deficiencies in the reassessment may be corrected. If the deficiencies noted by the director are not corrected within sixty days of the date the assessor and conference board are notified of their existence, the committee shall suspend payments from the reassessment expense fund until the director

notifies the committee that the deficiencies have been corrected.

9. Funds obtained under this section shall be used only to conduct reassessments of property as approved and conducted pursuant to this section.

Sec. 3. Section four hundred forty-one point nineteen (441.19), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. On or before February fifteenth of each year, each owner of industrial real estate shall submit to the local assessor a report listing by year of acquisition and by acquisition cost the owner's machinery as described in section four hundred twenty-seven A point one (427A.1), subsection one (1), paragraph e, of the Code, and specifying any machinery added or removed during the preceding assessment year. A report containing an itemized list of machinery by year of acquisition and by acquisition cost shall be required only when deemed necessary by the assessor. The reports shall be submitted on forms prescribed by the director of revenue or on forms submitted by the taxpayer and approved by the assessor which forms shall contain the same information as is required to be reported on forms prescribed by the director. If a person shall knowingly enter false information on the report, the person shall be guilty of a simple misdemeanor. Also, if a person refuses to file the report provided for in this paragraph, the assessor shall proceed in accordance with the provisions of section four hundred forty-one point twenty-four (441.24) of the Code.

Approved May 8, 1978

CHAPTER 1137

INCOME TAX WITHHOLDING AGENTS

S. F. 141

AN ACT relating to the definition and bonding of withholding agent for income tax purposes and making the Act retroactive.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section four hundred twenty-two point four (422.4), subsection thirteen (13), Code 1977, is amended to read as follows:

13. The term "withholding agent" means any individual, fiduciary, estate, trust, corporation, partnership or